

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/903,381	HEWITT, CHARLES W.	
	Examiner	Art Unit	
	Sandra Saucier	1651	

All Participants:

 (1) Sandra Saucier.

 (2) J. Zhu.
Status of Application: allowed

(3) _____.

(4) _____.

Date of Interview: 02-11-04
Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

 Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

none

Claims discussed:

16 and 19

Prior art documents discussed:

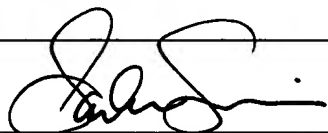
none

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

Applicant authorized the attached examiner's amendment directed to formal matters.
Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J. Zhu on 2/11/04.

The application has been amended as follows:

IN THE CLAIMS

16. A composition for use as a standardized measure of apoptosis in a test tissue sample from a subject, the composition comprising:

one or more negative control segment of a naturally occurring tissue which has not been subjected to a treatment that reproducibly results in a predetermined, measurable amount of apoptosis,

one or more positive control segment of a naturally occurring tissue which has been subjected to a level of the treatment that reproducibly results in a maximum amount of apoptosis obtainable in the segment as a result of the treatment, and

one or more intermediate control segment of a naturally occurring tissue which has been subjected to a level of the treatment that reproducibly results in a predetermined amount of apoptosis intermediate between that of the negative control segment and that of the positive control segment.

19. A kit for evaluating apoptosis in a test sample of tissue, the kit comprising:

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one or more negative control segment of a naturally occurring tissue which has not been subjected to a treatment that reproducibly results in a predetermined, measurable amount of apoptosis,

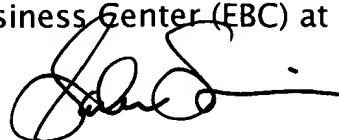
one or more positive control segment of a naturally occurring tissue which has been subjected to a level of the treatment that reproducibly results in a maximum amount of apoptosis obtainable in the segment as a result of the treatment,

one or more intermediate control segment of a naturally occurring tissue which has been subjected to a level of the treatment that reproducibly results in a predetermined amount of apoptosis intermediate between that of the negative control segment and that of the positive control segment and,

instructions for use of the segments in evaluating the apoptosis in the test sample of tissue.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra Saucier whose telephone number is (571)272-0922. The examiner can normally be reached on Monday, Tuesday, Wednesday.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sandra Saucier
Primary Examiner